

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

March 11, 2014

County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL:

Minutes for February 25, 2014.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

1. Final plat approval of East Bay Shores First Addition located in Section 10, Township 57 North, Range 16 West (Unorganized).
2. Non-exclusive utility easement across state tax forfeited land located in the SE ¼ of SE ¼, Section 11, and the NE ¼ of SW ¼, Section 12, both in Township 49 North, Range 15 West (City of Duluth) granted to Minnesota Power for a total amount of \$4,596 to use for an existing overhead transmission line.

Public Works & Transportation Committee – Commissioner Raukar, Chair

3. Acquisition of right of way and temporary easements authorized for the reconstruction of a portion of County Road (CR)710/Kleffman Road located in Hibbing, MN, and replacement of County Bridge 851 over Deer Creek (CP 0710-187006); and further, the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with an easement across State of Minnesota lands located in the NW ¼ of NW ¼, Section 16, Township 58 North, Range 21 West, adjacent to the present course of CR 710.
4. Designate a portion of State Trunk Highway 53 to be released by the State of Minnesota as County State Aid Highway (CSAH) 106 in Britt, MN, to correct the legal description and rescind Resolution No. 13-678, adopted November 12, 2013.
5. Agreement authorized with Lake County for seal coating and fog sealing maintenance on various county roads (CP 0000-205963[Low]/SAP 69-030-033).
6. Agreement authorized with the Minnesota Commissioner of Transportation for exchange of federal funds for state aid funds with Carlton County in the amount of \$1,617,357 for use on SP 69-733-024, CP 0733-1263 (Meadowlands area).

ST. LOUIS COUNTY BOARD

Consent Agenda

March 11, 2014

Page 2

7. Five-year contract, with two (2) optional two-year extensions, authorized with Roufs Property Maintenance, Hermantown, MN, in the amount of \$59,487.80 with annual performance-based increases at the county's discretion, for cleaning services at the county's Public Works facility on the Jean Duluth Road.

Finance & Budget Committee – Commissioner Nelson, Chair

8. One-year contract, with five (5) optional one-year extensions, authorized with Aramark Uniform Services, La Crosse, WI, at an annual cost of \$30,447.20 for uniform rental, mat rental and shop supplies.
9. Quit claim deed authorized to Alex J. Roufs and Kathryn D. Roufs, Duluth, MN, for the purchase of surplus county fee land located in Section 23, Township 51 North, Range 16 West (Grand Lake Township) for the bid amount of \$31,200 plus recording fees; and further, rescind County Board Resolution No. 13-684, adopted November 12, 2013, authorizing the sale of this property to Brian J. Johnson and Shayna K. Johnson who rescinded their offer.
10. Public hearing established for March 25, 2014, at 9:40 a.m. at the Joint Public Works Facility, Ely, MN, to consider the granting of an off-sale intoxicating liquor license to H&H at The Rocky Ledge, LLC d/b/a The Rocky Ledge, Kabetogama Township.
11. Public hearing established for March 25, 2014, at 9:45 a.m. at the Joint Public Works Facility, Ely, MN, to consider penalties and/or suspension of the liquor license issued to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, for allegations of a liquor law violation.
12. Workers' compensation report dated February 21, 2014.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

13. New job class, Procurement Manager, unclassified Management Compensation Pay Plan Grade A20, authorized for the Purchasing Division of the County Administration Department, and a temporary increase of 1.0 FTE in the Purchasing Division is authorized, effective March 11, 2014.
14. Ratify the 2014-2016 Deputy Sheriff Unit contract and authorize the Collective Bargaining Unit Agreement.

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 25, 2014, are hereby approved.

Final Plat Approval East Bay Shores First Addition (Unorganized 57-16)

BY COMMISSIONER _____

WHEREAS, The St. Louis County Planning Commission held a public hearing regarding the preliminary plat of East Bay Shores First Addition on November 14, 2013, and granted preliminary approval for the plat; and

WHEREAS, The final prints have been submitted and conform with the requirements set forth by the Planning Commission;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of East Bay Shores First Addition, located in Section 10, Township 57 North, Range 16 West.

Utility Easement across State Tax Forfeited Land to MN Power

BY COMMISSIONER: _____

WHEREAS, Minnesota Power has requested a non-exclusive easement to use tax forfeited parcels for an existing overhead transmission line; and

WHEREAS, Exercising the easement will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a utility easement to Minnesota Power across state tax forfeited lands described as follows:

A 100.00-foot strip of land lying in that part of the Southeast Quarter of the Southeast Quarter of Section 11, Township 49 North, Range 15 West, Saint Louis County, Minnesota, the centerline is described as follows:

Commencing at the southeast corner of said Section 11; thence North 00 degrees 25 minutes 02 seconds West, along the east line of said Section 11 a distance of 387.37 feet to the point of beginning of the line to be described; thence South 44 degrees 48 minutes 50 seconds West a distance of 544.84 feet to the south line of said Section 11, and there terminating.

The sidelines of said easement are prolonged or shortened to terminate on the east and south line of said Section 11.

And,

A 100.00-foot strip of land lying in that part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 49 North, Range 15 West, Saint Louis County, Minnesota, the centerline is described as follows:

Commencing at a stone monument at the northeast corner of said Northeast Quarter of the Southwest Quarter; thence South 00 degrees 13 minutes 30 seconds East along the east line of said Northeast Quarter of the Southwest Quarter a distance of 642.57 feet to the point of beginning of the line to be described; thence South 61 degrees 04 minutes 12 seconds West a distance of 1428.82 feet to the south line of the Northeast Quarter of the Southwest Quarter, and there terminating.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$4,500 easement fee, \$50 administration fee, and \$46 recording fee; for a total of \$4,596, to be deposited into Fund 240 (Forfeited Tax Fund).

Acquisition of Right of Way – Replacement of County Bridge 851 (Hibbing)

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of the Kleffman Road (County Road 710) and to replace the existing bridge (County Bridge 851) over Deer Creek in the city of Hibbing, County Project 0710-187006; and

WHEREAS, These improvements consist of replacing the existing structure with a similar structure at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001;

RESOLVED FURTHER, That the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across State of Minnesota Lands located in the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4), Section 16, Township 58 North, Range 21 West of the Fourth Principal Meridian adjacent to the present course of County Road 710.

**Designate Portions of Highway 53 Turnback as CSAH 106
and Rescind County Board Resolution No. 13-678**

BY COMMISSIONER _____

WHEREAS, By agreement (#03773) between St. Louis County and the Minnesota Department of Transportation, the road described below will be released by the State of Minnesota to the jurisdiction of St. Louis County and should be designated as a County State Aid Highway (CSAH) under the provisions of Minnesota law;

To-wit:

Beginning at a point on the centerline between the southbound and northbound lanes of State Trunk Highway No. 53, said point located in the Southwest Quarter of the Southwest Quarter of Section 31, Township 60 North, Range 17 West, approximately 1350 feet northeast of the Southwest corner thereof; thence southwesterly along the centerline of the Britt Bypass Road approximately 420 feet; thence continuing on said centerline along a curve concave to the north for a distance of approximately 1,368 feet to a point on the centerline of that part of old Trunk Highway 53 to be released to St. Louis County; thence northwesterly along said highway centerline a distance of approximately 21,115 feet to the intersection with County State Aid Highway 65, said centerline of intersection being approximately 120 feet south and 120 feet west of the South Quarter section corner of Section 21, Township 60 North, Range 18 West, and there terminating.

The described road totals approximately 22,900 feet (4.33 miles) in length.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby establishes, locates, and designates the road described above as a County State Aid Highway of said county, subject to approval of the Commissioner of Transportation of the State of Minnesota;

RESOLVED FURTHER, That the County Auditor is authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of St. Louis County, to be numbered and known as County State Aid Highway 106;

RESOLVED FURTHER, That County Board Resolution No. 13-678, dated November 12, 2013, is hereby rescinded.

Agreement with Lake County for Seal Coating and Fog Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with Lake County whereby Lake County will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-205963(Low), Seal Coat and Fog Seal 2014, with the funds to be receipted into Fund 220, Agency 220310, Object 551508.

Agreement for Exchange of Federal Funds for State Aid Funds

BY COMMISSIONER _____

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation be appointed as Agent of St. Louis County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects;

RESOLVED FURTHER, That the County Board Chair and County Auditor are hereby authorized and directed for and on behalf of St. Louis County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 05369", a copy of which was before the County Board and is made a part hereof by reference.

Cleaning Services – Public Works Facility, Jean Duluth Road

BY COMMISSIONER _____

WHEREAS, The St. Louis County Purchasing Division solicited quotes for the purchase of cleaning services at the Public Works facility on Jean Duluth Road; and

WHEREAS, Roufs Property Maintenance of Hermantown, MN, has submitted a quote for a five-year contract, with two (2) optional two-year extensions, in an amount of \$59,487.80 paid monthly in the amount of \$952.59;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a five-year contract, with two (2) optional two-year extensions, with Roufs Property Maintenance, Hermantown, MN, in an amount of \$59,487.80 paid monthly in the amount of \$952.59 for the first year, with annual performance-based increases at the county's discretion, for cleaning services at the county's Public Works facility on Jean Duluth Road, payable from Fund 202, Agency 202002, and Object 630900.

Uniform Rental, Mat Rental and Shop Supplies

BY COMMISSIONER _____

WHEREAS, The current St. Louis County uniform rental, mat rental and shop supply contracts expire on March 31, 2014; and

WHEREAS, St. Louis County Purchasing Division solicited, received and evaluated three (3) proposals from vendors for this service; and

WHEREAS, Aramark Uniform Services, La Crosse, WI, received the highest evaluation score based upon pricing, services offered, qualifications and experience;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a one-year contract, with five (5) possible one-year extensions, with Aramark Uniform Services, La Crosse, WI, at an annual cost of \$30,447.20.

**Sale of Surplus County Fee Land Section 23, T51N, R16W
(Grand Lake Township),
and Rescind Resolution No. 13-684**

BY COMMISSIONER _____

WHEREAS, The Property Management Team identified the following described property as surplus county fee owned land:

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 23, Township 51 North, Range 16 West, St. Louis County, MN, described as follows:

Commencing at the west quarter corner of said Section 23; thence North 01 degree 26 minutes 02 seconds West along the west line of said SW $\frac{1}{4}$ - NW $\frac{1}{4}$ a distance of 687.80 feet to the point of beginning; thence North 88 degrees 33 minutes 58 seconds East a distance of 89.11 feet; thence North 46 degrees 01 minute 23 seconds East a distance of 911.89 feet to a point on the north line of said SW $\frac{1}{4}$ - NW $\frac{1}{4}$ distant 761.08 feet easterly of the northwest corner of said SW $\frac{1}{4}$ - NW $\frac{1}{4}$; thence South 89 degrees 36 minutes 41 seconds West along said north line a distance of 761.08 feet to the northwest corner of said SW $\frac{1}{4}$ - NW $\frac{1}{4}$; thence South 01 degree 26 minutes 02 seconds East along the west line of said SW $\frac{1}{4}$ - NW $\frac{1}{4}$ a distance of 630.45 feet to the point of beginning; and

WHEREAS, The County Board adopted Resolution No. 13-684, dated November 12, 2013, authorizing the sale of same fee owned county land to Brian J. Johnson and Shayna K. Johnson; and

WHEREAS, Brian J. Johnson and Shayna K. Johnson rescinded their offer to purchase this property on January 10, 2014; and

WHEREAS, Alex J. Roufs and Kathryn D. Roufs have submitted an offer to purchase the above described fee owned county property for the minimum bid amount of \$31,200;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, the appropriate county officials are authorized to execute a quit claim deed conveying the above listed property to Alex J. Roufs and Kathryn D. Roufs of Duluth, MN, for the bid amount of \$31,200, payable to Fund 100, Agency 128014, Object 583202. Buyers are also responsible for deed tax and recording fees;

RESOLVED FURTHER, That County Board Resolution No. 13-684 authorizing the sale of fee owned county land to Brian J. Johnson and Shayna K. Johnson is hereby rescinded.

**Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License
(Kabetogama Township)**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:40 a.m. on Tuesday, March 25, 2014, in the Joint Public Works Facility, Ely, MN, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to H&H at The Rocky Ledge LLC d/b/a The Rocky Ledge, Kabetogama Township.

**Establish Public Hearing to Consider Violation Allegations of Liquor Law –
Ash-Ka-Nam Resort & Lodge (Unorganized Township 68-19)**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:45 a.m. on Tuesday, March 25, 2014, in the Joint Public Works Facility, Ely, MN, for the consideration of the allegations and, if proven, the suspension or revocation of the liquor licenses issued to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, and/or the imposition of civil penalties for the violation.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated February 21, 2014, on file in the office of the County Auditor, identified as County Board File No. 59787, is hereby received and ratified as payable from Fund 730, Agency 730001.

New Job Class – Procurement Manager

BY COMMISSIONER _____

WHEREAS, The Human Resources Department has created a new class for the Purchasing Division of the County Administration Department and has determined that it should be allocated to Grade A20 of the Management Compensation Pay Plan; and

WHEREAS, The temporary addition of 1.0 FTE to staff the position is being proposed;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts the Procurement Manager class, allocated to the unclassified Management Compensation Pay Plan Grade A20 (\$57,928-\$77,730, 2014 salary rate);

RESOLVED FURTHER, That the County Board authorizes a temporary increase of 1.0 FTE in the Purchasing Division of the County Administration Department, effective March 11, 2014, to be accounted for in Fund 100, Agency 11900, Object 610100. Sufficient personnel budget exists to fund this position.

Deputy Sheriff Bargaining Unit Agreement: 2014 - 2016

BY COMMISSIONER_____

RESOLVED, That the 2014-2016 Deputy Sheriff Unit contract is ratified and the appropriate county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. _____.